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July 11, 2024

Via ECF

The Honorable Brian M. Cogan
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, N.Y. 11201

Re: *Nancy Pierre v. Right Price General Construction Corp., Brown Point Facilities Management Solutions, LLC, and Dwight Sibblies, individually* (1:23-cv-07950-BMC)—Voluntary Discontinuance

Your Honor:

On behalf of Plaintiff Nancy Pierre and Defendant Brown Point Facilities Management Solutions (“Brown Point”), I am writing in response to the Court’s order dated July 1, 2024 (Doc. 31), which struck the parties’ voluntary dismissal on the basis that the Court must approve an FLSA settlement.

Please note that Pierre’s single cause of action against Brown Point, as described in the complaint, is a State cause of action. Specifically, Pierre asserted one cause of action under the Fair Labor Standards Act, and three causes of action under the New York Labor Law (the “NYLL”). Only the third cause of action, for the failure to pay wages in violation of the NYLL, is asserted against Brown Point, and this is the cause of action that we propose to voluntarily dismiss. Pierre will continue with all four causes of action against Defendants Right Price General Construction and Dwight Sibblies.

We apologize for not explaining this in our initial stipulation. At the Court’s direction, we can resubmit a stipulation of voluntary dismissal with the above clarification. If the Court believes that a conference is necessary to discuss the dismissal of Brown Point, we will be available at the Court’s convenience.

Sincerely yours,



Robert Halpern, Esq.
Attorney for Plaintiff